



1 The court's judgment, however, does not reflect this  
2 finding. See Doc #44, Ex B at 5. Hence, pursuant to FRCrP 36,  
3 defendant requests the addition of the following language:

4 The court adopts the factual findings and the guideline  
5 application in the presentence report except as augmented at  
the sentencing hearing as follows:

- 6 (1) the offense did not involve the carrying, use, or  
7 possession of a firearm;  
8 (2) the offense of conviction is a nonviolent offense;  
9 (3) the two-level enhancement for the specific offense  
characteristic under USSG §2D1.1 shall not be  
imposed.

10 Doc #44 at 5. Accordingly, the court ORDERS the government on or  
11 before February 15, 2007, to SHOW CAUSE why the court should not  
12 grant defendant's motion pursuant to FRCrP 36.

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14 IT IS SO ORDERED.

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17 VAUGHN R WALKER

18 United States District Chief Judge  
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